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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,684	04/30/2001	Jacob McGuire	033048-062	1912
21839	7590	11/03/2004	EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P			SON, LINH L D	
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ALEXANDRIA, VA 22313-1404			PAPER NUMBER	

2135

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,684

Applicant(s)

JACOB MCGUIRE

Examiner

Linh Son

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892) •
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-5 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-5 consist solely of computer program and database, which is nonstatutory functional descriptive material.

3. To expedite a complete examination of the instant application the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Antur et al, US Patent No. 6212558B1, hereinafter '558.

6. As per claim 1, "A software tool for use in configuring firewalls, comprising: an interface which communicates with a database to obtain the identification of firewall devices associated with a network and generate a first display which lists said devices" is taught in '558 (Col 6 lines 47-55, Col 9 lines 5-10, and Fig 6C); and "means responsive to the selection of one of the devices in said list to generate a second display (Figure 6C and 7) which lists conduits within said device, wherein each conduit is identified by descriptive names stored in said database for local and external devices and/or networks that are logically connected by the conduit" is taught in '558 (Col 9 lines 10-20, lines 22-24, Col 6 lines 48-64, and Figures 7-24).

7. As per claim 6, "A method for configuring firewalls, comprising the following steps: communicating with a database to obtain the identification of firewall devices associated with a network; generating a first display which lists said devices" is taught in '558 (Col 6 lines 47-55, Col 9 lines 5-10, and Fig 6C); and "detecting the selection of one of the devices in said list" is taught in '558 (Col 9 lines 23-26, and Figure 6c-7); and "generating a second display which lists conduits within said device, wherein each conduit is identified by descriptive names stored in said database for local and external devices and/or networks that are logically connected by the conduit" is taught in '558 (Col 9 lines 10-20, lines 22-24, and Figures 7-24).

8. As per claims 2 and 7, "The tool of claims 1 and 6, further including the steps of generating a third display which lists internal networks owned by an entity associated with the selected device, in response to the selection of one of the devices listed in said first display, and which enables a user to selectively open and close conduits respectively corresponding to said internal networks" is taught in '558 (Col 9 line 27 to Col 10 line 22, and Figures 7-24).

9. As per claims 3 and 8, "the tool of claims 2 and 7, wherein said third display includes a graphical object adjacent each listing of an internal network that can be selected by a user to toggle between open and closed states for the listed network" is taught in '558 (Col 9 line 27 to Col 10 line 22, and Figures 7-24).

10. As per claims 4 and 9, "the tool of claims 2 and 7, wherein said third display further enables a user to add a new conduit to one of the internal networks" is taught in '558 (Col 35-39, and Figure 10).

11. As per claims 5 and 10, "the tool of claims 4 and 9, wherein said third display includes an identification of each protocol that can be associated with the new conduit, and graphical objects via which a user can select each of said protocols" is taught in '558 (Col 9 line 35 to Col 10 line 24, and Figures 10-24)

Conclusion

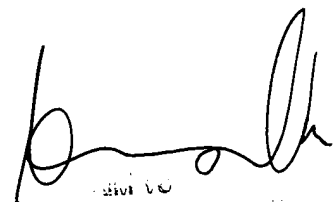
12. Any inquiry concerning this communication from the examiner should be directed to Linh Son whose telephone number is (571)-271-3856.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Kim Y. Vu can be reached at (571)-272-3859. The fax numbers for this group are (703)-872-9306 (official fax). Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (571)-272-2100.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PMR or Public PMR. Status information for unpublished applications is available through Private PMR only. For more information about the PAIR system, see <http://pzr-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh LD Son

Patent Examiner



ASSISTANT TO
PATENT EXAMINER
TECHNOLOGY CENTER 2100